

MP04-276

September 28, 2004

DOCKET FILE COPY ORIGINAL

Honorable Michael Powell, Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, D.C. 20554

Re: Review of Emergency Alert System, EB Docket No. 04-296

Dear Chairman Powell:

I am writing to oppose any effort in this proceeding to preempt local authority to require a local emergency alert system as part of a cable franchise.

Local emergency alert systems are a crucial tool for local governments to notify residents about local emergencies and actions they should take to protect their own safety and well being. These systems are also a vital tool to help notify police officers, firefighters and other first responders to emergencies where and when they should report for duty.

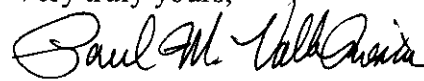
Regional programs that are part of the federal emergency alert system are not adequate. For example, in the San Francisco Bay Area where we are located, the regional emergency alert system serves the entire seven county Bay Area, including many dozens of cities. The managers of this system have told us that they will not activate the system in the event of a localized emergency that does not affect most of the region. Even in the event of a regional emergency, they will only include information that is regional in nature, e.g. they will not include a phone number for Walnut Creek employees to call in order to get instructions about where and when to report.

President Bush has emphasized the need for better local emergency planning in the wake of 9-11. Among other things, he has called for the establishment of Citizen Corps Councils in each city to help respond to disasters. Preempting the authority of

cities to require local cable companies to run local emergency announcements would undermine these efforts.

Once again, please do not preempt local authority to require local emergency alert systems as part of local cable franchises.

Very truly yours,

A handwritten signature in black ink, appearing to read "Paul M. Valle-Riestra". The signature is fluid and cursive, with the first name "Paul" being the most prominent.

Paul M. Valle-Riestra  
Senior Assistant City Attorney